

**MEMO ENDORSED****THE LAW OFFICES OF DAVID AUGENSTEIN****ATTORNEYS AT LAW**

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October 12, 2010

**VIA FACSIMILE 212-805-7930**

Honorable James C. Francis  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

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Re: YCD Multimedia, Inc. v. Integrated Media Systems, Inc. et al.  
Case No. 09 CIV 10124 (JCF)

Dear Judge Francis:

As discussed with your Honor's Chambers today, the parties to this action respectfully request extension of the dates set forth in the prior Scheduling Order entered by the Court on April 30, 2010 (the "Scheduling Order"). The reason for the extension is that the parties need additional time to conduct discovery due to some extenuating personal circumstances that affected Plaintiff's counsel.

The parties have commenced discovery and exchanged initial disclosure requests and the parties have confirmed and agreed to the amended dates set forth below:

1. All fact (non-expert witness) discovery shall be completed by December 1, 2010;
2. Any party seeking to submit an expert report shall do so by serving such report on opposition counsel by February Dec 31, 2010;
3. Any rebuttal expert witness reports shall be served upon opposing counsel by January 31, 2011;
4. All expert witness discovery shall be complete by February 15, 2011;
5. All dispositive motions shall be served by February 28, 2011;

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6. A final pretrial order shall be submitted by the parties by March 15, 2011;
7. The case will be ready for trial by April 1, 2011. The parties believe that a trial in this case will take three days;
8. A jury trial is not requested.

The parties respectfully request that the Court approve the amended schedule set forth above. The parties also respectfully request that all other statements and agreements contained in the Scheduling Order remain in full force and effect.

Please contact us with any questions or comments. Thank you for your Honor's time and consideration.

Respectfully submitted,



David Augenstein

cc: Mark Lichtenstein, Esq. (Via Email)  
Donald Novik, Esq. (Via Email)

10/18/10  
Application granted.  
SO ORDERED.  
James C. Francis IV  
USMJ